

ORIGINAL

1 LeonGuerrero_M.taxgar5

FILED
DISTRICT COURT OF GUAM

MAY 28 2008 R.D.

JEANNE G. QUINATA
Clerk of Court

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF GUAM

8 UNITED STATES OF AMERICA,)

CRIMINAL CASE NO. 97-00026

9 Plaintiff,)

10 vs.)

ANSWER OF THE GARNISHEE

11 MELVIN LEON GUERRERO,)

12 Defendant,)

13
14 DEPARTMENT OF REVENUE
15 AND TAXATION,
GOVERNMENT OF GUAM,)

16 Garnishee.)
17

18 ANSWER OF THE GARNISHEE
19

20 _____, BEING DULY SWORN DEPOSES AND SAYS:
21 (Affiant)

22 IF GARNISHEE IS AN INDIVIDUAL:

23 That he/she is Garnishee herein doing business in the name of _____
24

25 (State full name and address of business)

26 IF GARNISHEE IS A PARTNERSHIP:

27 That he/she is a member _____ of a partnership
28 composed of which Garnishee is a partner.

//

1 IF GARNISHEE IS A CORPORATION:

2 That he/she is the (State Official Title) _____
3 of Garnishee, _____ a corporation, organized under the laws of the
4 _____.

5 IF GARNISHEE IS A GOVERNMENT ENTITY:

6 State name and address of agency, and name and official title of authorized
7 representative: Department of Revenue and Taxation
8 PO Box 23607, Barrigada Guam 96921
9 Paul J. Terlaje
10 Taxpayer Service Administrator

11 1. On _____, 2008, Garnishee was served with the
12 Writ of Garnishment. For the pay period in effect on the date of service (shown above)

13 Yes No

14 ✓ Defendant was in my/our employ.

15 Pay period is weekly , bi-weekly , semi-monthly , monthly .

16 The Defendant's present pay period began on _____.

17 (Present means the pay period in which this order and notice of
18 garnishment were served)

19 The Defendant's present pay period ends on _____

20 Enter amount of net wages. Calculate below:

21 (a) Gross Pay \$ _____

22 (b) Federal income tax _____

23 (c) F.I.C.A. income tax _____

24 (d) State/Local income tax _____

25 Total of tax withholdings \$ _____

26 Net Wages \$ _____ (a less total of b,c,d)

27 //

28 //

1 Yes No

2 ☒ ☐

2. Are you aware of any other garnishments,
suggestions or levies currently in effect. If the

answers is yes, please attach to this Answer a copy

of each garnishment, suggestion or levy. *GMH Liability: \$268.48*

6 ☒ ☐

3. Do you or will you in the foreseeable future, owe the defendant money? If
your answer is yes, please provide the amount of money you will owe, the
date or dates on which each payment is due, and the reason why you owe
or will owe the money to the Defendant:

Type of Payment	Amount	Date of Payment is Due
1. <u>Earned Income Credit 1995</u>	<u>459.00</u>	<u>UNK</u>
2. <u>Earned Income Credit (2001-2004)</u>	<u>9,631.50</u>	<u>unk</u>
3. <u>2004 Income Tax Refund</u>	<u>4,980 + INT.</u>	<u>unk</u>

4. If you currently have in your custody, control or possession property (other than earnings) in the form of savings accounts, pensions, thrift plans, etc., in which the Defendant maintains an interest, for each item of property provide the following information:

Description of Property	Approximate Value	Description of Debtor's Interest
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

25 //

26 //

27 //

28 //

1 5. For each item of property (other than earnings) which you expect to obtain
2 custody or possession of in the foreseeable future, provide the following information:

3 <u>Description of</u>	<u>Approximate</u>	<u>Description of</u>	<u>Date you will</u>
4 <u>Property</u>	<u>Value</u>	<u>Debtor's Interest</u>	<u>obtain property</u>
5 1. _____	_____	_____	_____
6 2. _____	_____	_____	_____
7 3. _____	_____	_____	_____
8 4. _____	_____	_____	_____

9 Yes No

10 _____ ☒ 6. Do you make any claim of exemption on the part of
11 Defendant? If yes, please explain the nature and
12 basis of your claim:
13 _____
14 _____
15 _____
16 _____
17 _____

18 Yes No

19 _____ ☒ 7. Do you have any objections to the garnishment of
20 the Defendant? If yes, please explain the nature and
21 basis of your objection:
22 _____
23 _____
24 _____
25 _____

26 //
27 //
28 //

1 8. Check the line below if you deny that you hold property subject to this order of
2 garnishment:

3 _____ [The Garnishee was then in no manner and upon no account indebted or
4 under liability to the Defendant, MELVIN LEON GUERRERO, and that
5 the Garnishee did not have in his/her possession or control any property
6 belonging to the Defendant, or in which the Garnishee has an interest; and
7 is in no manner liable as Garnishee in this action.]

8 9. The Garnishee mailed a copy of this answer by first-class mail to (1) the Debtor,
9 MELVIN LEON GUERRERO at Yigo, Guam 96929 and (2) the attorneys for the United States,
10 Jessica F. Cruz, Assistant United States Attorney, and Mikel W. Schwab, Assistant U.S.
11 Attorney, U.S. Attorney's Office, Sirena Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña,
12 Guam 96910.

14 DEPARTMENT OF REVENUE AND TAXATION,
15 GOVERNMENT OF GUAM
Garnishee

16 By: P. J. Terlaje
17 Paul J. Terlaje
18 PO Box 23607, Barrigada Guam 96921
19 635-1821
20 Name/address/Phone Number of person
21 preparing Answer

22
23 The foregoing instrument was acknowledged before me this _____ day of _____,
24 2008.

25
26
27 Notary Public
28

Press Enter to continue.

Document locator no	20070660628	Tax period begin	1 1 2006
Tax form	1040A	Tax period end	12 31 2006
Date filed	4 24 2007		
Taxpayer id no (TIN).	LEON GUERRERO MELVIN S		
Spouse id no			
Addr line 1, line 2	E GAYINERO DR		
City, state, zip code	YIGO GU 96929-0000		
Village code			
1040NR return type		Commissioner rtn flag	N
NRA spouse flag	N	Military flag	N
Duplicate return		Status code	Accepted
Audit referral flag		Status date	5 21 2008
ITAPB referral flag		Taxpayer occupation	
CIB referral flag		Spouse occupation	
Corrected rtn flag.	N		
Process for refund.	N		
Due date	4 17 2007		
Due amount on return. . . . .	.00		
Amount paid w/return. . . . .	.00		
Underpayment penalty. . . . .	.00	Undistributed Int . . . . .	.00
A/R referral date		Interest on refund : . . . . .	.00
Refund assigned to			
Refund amt on return.	4,980.00	Refund check number:	
Previous refunded amt . . . . .	.00	Refund check date	
Amount for next year. . . . .	.00	Refund check stat	
		Last offset date	
Penalty deduction . . . . .	.00	*Debtors	
A/R deduction . . . . .	.00		.00
*Debtor deduction . . . . .	.00		.00
Total deductions . . . . .	.00		.00
Innocent spouse amt . . . . .	.00		.00
Refund check amount . . . . .	.00		
Refund check status			More

F3=ExitF12=Cancel

Position to TIN.
Show expedited only? N

Type option, press Enter.
2=Change 4=Delete 5=Display 6=Process 8=Override
9=Notices 12=Finalize 13=RejReason 16=Referral 17=Form 1310

Opt	DLN	TIN	Taxpayer name		Tax form	Rel	Sts
TxYr	Exam	Tapb	Trab	Sps	TIN	Spouse name	EIC Amount
1995	20070130906			1659	LEON GUERRERO MELVIN	S	EIC-GU R A 459.00
2001	20070130991			1659	LEON GUERRERO MELVIN	S	EIC-GU R A 3570.00
2002	20070140034			1659	LEON GUERRERO MELVIN	S	EIC-GU R A 3770.00
2003	20070140049			1659	LEON GUERRERO MELVIN	S.	EIC-GU R A 2210.00
2004	20070140069			1659	LEON GUERRERO MELVIN	S	EIC-GU R A 81.00

F3=Exit

F5=Refresh

F10=Position

F11=Chg view

F12=Cancel

F17=Chg Prntr

F23=More Options

More...

Display Debtor Record

Press Enter to continue.

Taxpayer id no (TIN). : ██████████1659

Record sequence . . . : 1

Document locator no . : 000000000000

Taxpayer name : LEON GUERRERO MELVIN

Indebtedness Amount . : 268.48

Garnished Amount . . .

Garnished YTD

Priority 18

Child support

Account number . . . : 110023692

Organization Code . . .

Organization Name . . : GMHA

F3=Exit

F12=Cancel